United Nations S/PV.3955

Security Council

Fifty-third Year

Provisional

3955th Meeting

Wednesday, 16 December 1998, 9.30 p.m.

New York

President:	Mr. Buallay	(Bahrain)
Members:	Brazil	Mr. Amorim
	China	Mr. Qin Huasun
	Costa Rica	Mr. Niehaus
	France	Mr. Dejammet
	Gabon	Mr. Essonghé
	Gambia	Mr. Jagne
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Burleigh

Agenda

The situation between Iraq and Kuwait

Letter dated 15 December 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/1172)

98-86710 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 10.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Letter dated 15 December 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/1172)

The President (*interpretation from Arabic*): I should like to inform the Council that I have received a letter from the representative of Iraq, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Hamdoon (Iraq) took the seat reserved for him at the side of the Council Chamber.

The President (*interpretation from Arabic*): The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the letter dated 15 December 1998 from the Secretary-General addressed to the President of the Security Council, document S/1998/1172.

I should like to draw the attention of the members of the Council to document S/1998/1173, which contains the text of a letter dated 15 December 1998 from the Secretary-General addressed to the President of the Security Council, transmitting the letter dated 14 December 1998 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and its enclosure.

Members of the Council have received photocopies of the following communications: letter dated 16 December 1998 from the Secretary-General addressed to the President of the Security Council, which will be issued as document S/1998/1175; letter dated 16 December 1998 from the Chargé d'affaires *ad interim* of the United States Mission to the United Nations addressed to the President of the Security Council, which will be issued as document S/1998/1181; and letter dated 16 December 1998 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council, which will be issued as document S/1998/1182.

The first speaker inscribed on my list is the representative of Iraq. I invite him to take a seat at the Council table and to make his statement.

Mr. Hamdoon (Iraq)(*interpretation from Arabic*): I speak to you now while rockets and bombs are falling on the cities and the villages of Iraq, Iraq that is steadfast and patient. I am not speaking in symbolic language or about a fireworks display in the Baghdad sky which is being enjoyed by CNN viewers. Indeed, I am speaking about bombs that are falling at this very moment to rip out the hearts of elderly men and women and extinguish smiles from the faces of children and scatter their limbs everywhere. These are instruments of destruction that are reaping the lives of Iraqi civilians who have been suffering for the past eight years from one of the most comprehensive and horrendous sanctions known in human history.

The aggression launched by the United States and Britain today is the most glaring evidence of the absence of principles in international relations and of the submission of the world to the authority of brute power. Indeed, this is a very grim and sad day in the history of the United Nations and the Security Council. At a time when the Security Council, with the participation of the Secretary-General, was discussing reports submitted by the International Atomic Energy Agency (IAEA) and the United Nations Special Commission (UNSCOM) on the status of compliance by Iraq, and before the Council reached any conclusion on this subject, the United States and Britain launched their attack against Iraq. The two Powers requested a suspension of the informal meeting of the Security Council and their pretext for aggression was that one of the two reports — the UNSCOM report — emphasized the lack of full cooperation by Iraq with UNSCOM. Thus, the United States has once again arrogated to itself the Security Council's authority and flouted international law and the United Nations Charter. Indeed, it has disregarded the prestige of the members of the Council, who were in session and were not allowed

to even complete their discussion, in keeping with their responsibilities for maintaining international peace and security.

Time and again we have warned against the partiality and lack of objectivity of the United Nations Special Commission. The conduct of the UNSCOM Executive Chairman yesterday and today provided additional evidence that his partiality, lack of integrity and lack of objectivity as an international civil servant could indeed lead the world to disasters, the first victims of which would be the United Nations and its prestige. The UNSCOM Executive Chairman singled out in his report yesterday five incidents out of a total of 300 inspection operations; I repeat, five incidents of 300 inspection operations that have been undertaken since UNSCOM resumed its operations in Iraq on 18 November. He considered those incidents as categorical evidence of lack of cooperation on Iraq's part. What are these incidents? One is that the Iraqi side requested UNSCOM to respect the Muslim religious holiday on Fridays. Another was that the Iraqi side took inspectors to the headquarters of a non-Iraqi organization and the officers of that organization denied the inspectors access to their headquarters. A third incident was that UNSCOM inspectors entered a site where they were expecting to find what was presumed to be documents and they failed to find such documents because those documents were not there.

Another incident relates to the "air force" document, which we invited him to discuss jointly, in the presence of the Special Envoy of the Secretary-General. He refused to do so. Yet another incident relates to a visit to the party headquarters, in which a party representative requested a written request — just a few lines — to inspect the party headquarters. They refused to do so. And to complete his non-objective conclusions with regard to cooperation by Iraq, the Executive Chairman of the Special Commission today, without the knowledge or approval of the Security Council — without its knowledge or approval — withdrew his inspectors from Iraq in order to pave the way completely for the military aggression against Iraq by the United States and the United Kingdom.

The exaggerated uproar about Iraqi weapons of mass destruction is nothing but a great lie; the other lie is the allegation that Iraq poses a threat to its neighbours. With regard to weapons of mass destruction, UNSCOM and the International Atomic Energy Agency have been operating since April 1991, with cooperation from the Iraqi side, and have completed their essential work in the area of disarmament. The International Atomic Energy Agency announced recently that the disarmament phase has virtually been completed, and UNSCOM declared that it was about to complete that phase with regard to missiles and chemical weapons, a month being set by the Chairman of UNSCOM to do so.

The question that arises is, where are the prohibited weapons which they allege that Iraq still has? If UNSCOM has any evidence that Iraq possesses a prohibited weapon or its components, then we challenge them, as we have done in the past, to provide physical evidence to the Security Council. Indeed, some members of the Security Council have requested, time and again, that such evidence be submitted, but UNSCOM has failed to do so.

With regard to the threat posed by Iraq to its neighbours — and there is a well-known exception in this context — we ask the Security Council to tell us which of Iraq's neighbouring States claims that Iraq is threatening its peace and security. Indeed, we would pose another question: what has the Security Council done in the face of the threats to the peace and security of Iraq made every day by some permanent members of the Security Council, and of other threats posed by another neighbouring country?

In closing, I invite the Security Council to fulfil its responsibilities as set forth in the United Nations Charter and request an immediate and unconditional cessation of the aggression that is under way against Iraq. Furthermore, I remind the Council of the content of the statement issued by the national leadership of my country today: that we are confident that the people of Iraq will prove once again that this aggression is futile and a failure, as they have done in the past with regard to every prior instance of aggression.

Finally, I wish a holy Ramadan to the steadfast Iraqis and to Arabs and Muslims everywhere in the world.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): Today's meeting is taking place at a time when Iraq is being subjected to massive missile and bomb strikes by the armed forces of the United States and the United Kingdom. There have been casualties, valuable material goods have been destroyed and a threat has been created to peace and security not only in the region but beyond it. I should like to recall that there are Russian citizens in Baghdad. The Minister for Foreign Affairs of the Russian Federation, Mr. Ivanov, stated today that if

their lives should prove to be imperilled, that will have extremely serious consequences.

Grave harm has been done to the tremendous amount of work done in recent years to effect a post-crisis settlement in the Persian Gulf region and to dismantle the capability of Iraq's weapons of mass destruction and their delivery systems. The very existence of the system that was so carefully set up over a long period of time to monitor the prohibited programmes of Iraq has been called into question. Such a turn of events, to which Russia decidedly objects, has caused very serious concern and deep alarm. In carrying out this unprovoked act of force, the United States and the United Kingdom have grossly violated the Charter of the United Nations, the principles of international law and the generally recognized norms and rules of responsible behaviour on the part of States in the international arena. Essentially, a threat has been made to the entire system of international security, in which the United Nations and the Security Council act as a central link.

The Security Council alone has the right to determine what steps should be taken in order to maintain or restore international peace and security. We reject outright the attempts made in the letters from the United States and the United Kingdom to justify the use of force on the basis of a mandate that was previously issued by the Security Council. The resolutions of the Council provide no grounds whatsoever for such actions.

I should like to recall that paragraph 6 of the most recent resolution of the Security Council on Iraq, resolution 1205 (1998), clearly states that the Security Council

> "*Decides*, in accordance with its primary responsibility under the Charter for the maintenance of international peace and security, to remain actively seized of the matter."

Clearly, therefore, those actions have been undertaken in violation of Security Council resolutions. The entire responsibility for the consequences of those actions must be borne by those States that have chosen a unilateral act of force in order to resolve their problems with Iraq. No one is entitled to act independently on behalf of the United Nations, still less assume the functions of a world policeman. Russia has consistently made intensive diplomatic efforts to promote a swift settlement of the situation around Iraq. The potential for a political and diplomatic resolution of the Iraqi crisis has by no means been exhausted, as is made particularly clear by the basically normal course of cooperation between Iraq and the United Nations recently. The Iraqi leadership even now confirms its readiness to continue on that course.

We believe that although there are certain problems regarding the cooperation between Iraq and the United Nations Special Commission and the International Atomic Energy Agency, the current crisis was created artificially, partly as a result of the irresponsible acts of the Executive Chairman of the Special Commission, Richard Butler. On the night of 15 December this year, he presented a report that gave a distorted picture of the real state of affairs and concluded that there was a lack of full cooperation on the part of Iraq. That conclusion was not borne out by the facts. Without any consultations with the Security Council, Richard Butler then evacuated the entire Special Commission staff from Iraq. At the same time, there was an absolutely unacceptable leak of the report to the communications media, which received the text before the members of the Security Council themselves. Richard Butler thus grossly abused his authority. His acts have led to a sharp deterioration of the situation regarding Iraq.

It is symbolic that precisely at the time when Richard Butler, during today's consultative Council meeting, was attempting to defend the conclusions reached in his report, we were informed about the strike against Iraq, and the justification for that unilateral act was precisely the report which had been presented by the Executive Chairman of the Special Commission.

In the light of this new situation in Iraq, the Russian Federation cannot remain unconcerned. We appeal for an immediate end to these acts of military force, that restraint and prudence be demonstrated and that no further escalation of the conflict be allowed, a conflict which is fraught with completely predictable consequences, dangerous not only for the Iraqi settlement but also for international stability as a whole.

We are convinced that the resolution of the Iraqi problem is possible only through political and diplomatic methods on the basis of compliance with the resolutions of the Security Council and the norms of international law.

We are grateful to the Secretary-General for his statement today in which he, *inter alia*, confirmed his readiness to promote a peaceful settlement of the problem in the region of the Persian Gulf.

We believe that the Security Council has its part to play in accordance with the Charter of the United Nations, including giving an assessment, in principle, of the current unilateral military action. In this context, today's meeting is of particular significance.

Mr. Qin Huasun (China) *(interpretation from Chinese):* This afternoon the United States and the United Kingdom started a military attack against Iraq which violated the United Nations Charter and norms governing international law. We were deeply shocked by this act, and we condemn it.

It must be pointed out in particular that with the joint efforts of the Secretary-General and the international community, Iraq had resumed its cooperation with United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA), and progress had also been made in verification efforts.

Against this backdrop, the unprovoked military action of the two countries is completely groundless. We are deeply concerned over the safety and security of the people of Iraq and the United Nations staff in the country.

We also would like to thank the Secretary-General for the remarks he made today on this question.

The Chinese delegation at the open debate this morning on the question of the maintenance of peace and security and post-conflict peace-building stated that we are against power politics or the unilateral resort to the use or threat of force in international relations. We believe that such acts contravene international law and norms governing international relations and are in themselves a serious threat to international peace and security. These remarks of ours were not without targets.

China has always strongly advocated peaceful settlement of international disputes and is against the use or the threat of use of force in international relations.

The differences that exist between UNSCOM and Iraq on the verification issue can properly be settled through dialogue and consultation. The use of force, far from helping to reach a settlement, may create serious consequences for the implementation of Security Council resolutions, for relations between Iraq and the United Nations and for peace and stability in the world and in the region.

We call upon the United States and the United Kingdom to immediately stop all military actions against Iraq, to avoid any other acts which may worsen the situation and to return to the path of cooperation and dialogue.

The leader of UNSCOM has played a dishonourable role in this crisis. The reports submitted by UNSCOM to the Secretary-General were one-sided and evasive regarding the facts. It is difficult for the UNSCOM leader to shirk his responsibility in the current crisis.

From the letters addressed to the President of the Council by the United States and the United Kingdom, it can be seen that they have taken the relevant UNSCOM reports as the main argument for the use of force against Iraq. Perhaps that was precisely the purpose of those reports, but I must point out that whatever the intention was behind the preparation of the reports by the UNSCOM leader, and however the countries which read them try to make use of them, there is in fact no excuse or reason for the use of force against Iraq.

We believe that only through political and diplomatic means can an appropriate settlement be found to the various contradictions and differences over the question of weapons verification in Iraq.

The United Nations Charter entrusts the Security Council with the main responsibility for maintaining international peace and security. At this crucial moment of war and peace, the Council should shoulder this sacred responsibility. We are ready to join the international community in an effort to this end.

Sir Jeremy Greenstock (United Kingdom): A few hours ago the armed forces of the United Kingdom, along with those of the United States, took military action in Iraq. This was not a hasty decision.

There has been a long road to this crisis. At any point on that road, Iraq could have chosen to cooperate fully and freely, thereby avoiding the action which we have been forced to take. It is worth looking back down that road to see why we have reached this point.

Security Council resolution 687 (1991), bringing to an end the Gulf War, made it a condition of the ceasefire that Iraq both destroy its weapons of mass destruction and agree to the monitoring of its obligation to destroy such weapons.

Why was this assurance so vital? Because Iraq had, unprovoked, invaded Kuwait. Because in the course of that conflict, Iraq had launched indiscriminate ballistic missile attacks on neighbouring countries. Because Iraq had already shown it was ready and willing to use the most deadly weapons. It used chemical weapons extensively against Iran, and against its own civilians in Halabja in 1988, using mustard gas and the nerve agent tabun, killing thousands of civilians. Saddam Hussein is the only leader ever to have authorized the use of nerve agents. Chemical weapons casualties from the Iran-Iraq war number more than twenty thousand. As was slowly revealed after the Gulf War, Iraq had developed huge quantities of weapons of the most deadly kind.

The United Nations Special Commission (UNSCOM) was set up to remove Iraq's extensive weapons of mass destruction capabilities and to provide a full and verifiable account of what Iraq had produced and used in the past. To complete this task UNSCOM was, in 1991, given immediate, unconditional and unrestricted access to all the areas, facilities, equipment and records it wished to inspect.

But Iraq has never given UNSCOM the cooperation it needed to complete its tasks. Instead, it has concealed the evidence of its past and current programmes and has engaged in a policy of harassment and deceit to thwart UNSCOM in its tasks. Iraq has blocked inspections whenever it feared that anything incriminating would be found. It has failed to produce documents UNSCOM knows to exist, documents that are demonstrably relevant to Iraq's programmes of weapons of mass destruction. Even the infamous "air force" document has yet not been handed over.

Over the past 14 months, Iraq has deliberately provoked a series of crises in an attempt to wear down the will of the international community: in October 1997, February 1998, August 1998 and at the end of October 1998. Each time, they used the withdrawal of cooperation both for further prevarication and for the dispersal of their military capability.

On 14 November, at the last moment and in the knowledge that they were about to be attacked, the Iraqis offered full, unconditional and unrestricted cooperation with UNSCOM. The attack was called off. We willingly made that last extra effort to avert the use of force. But we said at the time that we would hold Saddam Hussein to his word and that, should he break his word once more, there would be no second chances. The Secretary-General added his own words of warning, as did others with channels to Baghdad. Those words were not heeded.

UNSCOM's report makes clear that Iraq has yet again failed to keep its promises. The report details not merely the obstruction but the fact that it relates directly to documents, sites and personnel that would give a clue as to the whereabouts of weapons of mass destruction and the capabilities to make them. It is not obstruction simply for the sake of it, but a plan of deceit to prevent those weapons of mass destruction from being located and destroyed.

UNSCOM has made clear time and again that it can only make progress in clearing up the outstanding questions and establish an effective system of monitoring and verification if Iraq offers real cooperation. Tragically, that cooperation has not been forthcoming. The whole continuing history of concealment and deceit is the reason why we have reached the point of military action.

In this, our objectives are clear: to degrade Iraq's capability to build and use weapons of mass destruction, and to diminish the military threat Iraq poses to its neighbours. The targets chosen, therefore, are targets connected with his military capability, his weapons of mass destruction and his ability to threaten his neighbours.

There is a clear legal basis for military action in the resolutions adopted by the Security Council. Resolution 1154 (1998) made it clear that any violation by Iraq of its obligations to allow the Special Commission and the International Atomic Energy Agency unrestricted access would have the severest consequences. That was three resolutions and nine months ago. Resolution 1205 (1998) established that Iraq's decision of 31 October 1998 to cease cooperation with the Special Commission was a flagrant violation of resolution 687 (1991), which laid down the conditions for the 1991 ceasefire. By that resolution, therefore, the Council implicitly revived the authorization to use force given in resolution 678 (1990). And Ambassador Butler's report makes clear that, despite its undertakings to rescind the decision of 31 October, Iraq has not only failed to resume full cooperation with the Special Commission but has imposed new restrictions on its work.

The British Prime Minister said in his statement earlier this evening,

"This action could have been avoided. Since the Gulf war, the entire international community has worked to stop Saddam Hussein from keeping and developing nuclear, chemical and biological weapons and from continuing to threaten his neighbours. For the safety and stability of the region and the wider world, he cannot be allowed to do so. If he will not, through reason and diplomacy, abandon his weapons of mass destruction programme, it must be degraded and diminished by military force. Having exhausted all other avenues, there is no realistic alternative".

Mr. Niehaus (Costa Rica) (*interpretation from Spanish*): As a small, peaceful, democratic and demilitarized country, Costa Rica has maintained and continues unswervingly to maintain an international policy based on the principle of the rejection of the use of force in relations among States. This long-standing policy is grounded in our own national experience and in the firm conviction that international law is the sole proper and legitimate instrument for addressing and resolving disputes among States.

Over the past two years, Costa Rica, as an elected member of the Security Council, has applied that policy of principle by actively supporting the use in all cases, as a matter of first priority, of the means for the pacific settlement of disputes provided for in Article 33 of the Charter. Moreover, Costa Rica in that same capacity has reaffirmed that recourse to the use of force envisaged as an exceptional measure in Chapter VII, Article 42, of the Charter falls within the sole and exclusive purview of the Security Council, and that only this principal organ of the United Nations can authorize collective action of that kind.

In that context, Costa Rica learned with great and profound disquiet of the air strikes carried out today by the United States of America and the United Kingdom against military installations in Baghdad, Iraq. Given those events, Costa Rica reaffirms its long-standing position rejecting the unilateral use of force and insisting on adherence to international legal instruments.

Nonetheless, Costa Rica wishes to say that over these two years it has witnessed with frustration the Iraqi Government policy of defying and ignoring international obligations. That dangerous conduct by the Iraqi authorities has undermined full implementation of Security Council resolutions on the elimination of all weapons of mass destruction in the possession of Iraq, has sapped international trust in Iraq's good word, has profoundly harmed the living conditions of the country's civilian population, and has driven Iraq's relations with the international community into a dead end.

Hence, Costa Rica forcefully and vigorously appeals to Iraq to put an end, once and for all and unconditionally, to its provocative actions, to fulfil its obligations without delay in conformity with the terms set by the Security Council, and to bring its conduct into line with what it has undertaken to do and with its promises to the international community.

Costa Rica today appeals to all parties concerned to do everything in their power to make possible, through intensive recourse to the law and to diplomacy, a peaceful solution to the present crisis.

Mr. Türk (Slovenia): Tonight's meeting is a sombre occasion to reflect on a development that we had all been trying to avoid for quite some time. This year alone, the Security Council was repeatedly confronted with crises in its relations with Iraq. Laudable efforts by the Secretary-General, by the Security Council as a whole and by several of its members more than once created hope that full implementation of Iraqi obligations under the Security Council resolutions would be achieved by peaceful means. On the other hand, already earlier this year, at the time of endorsement of the Secretary-General's Memorandum of Understanding reached with Iraq, the Council made it clear, in its resolution 1154 (1998) of 2 March 1998, that any violation of its obligations would have the severest consequences for Iraq.

That was a clear message of the seriousness the Council has attached to the disarmament work in Iraq. It was also but one in a series of opportunities provided by the Council to Iraq to de-escalate tensions and to proceed with the unfinished business of disarmament. Unfortunately, Iraq failed to take full advantage of those opportunities.

It is deplorable that we find ourselves today in a situation characterized by military action against Iraq. We would have preferred instead to be in a position to proceed immediately with a comprehensive review, for which the Security Council was patiently and diligently working in the past few months. We particularly regret that the Iraqi leadership themselves have prevented that review by failing to live up to their latest unequivocal commitment of 14 November 1998 to full and unconditional cooperation. It should have been clear to them that the perpetuation of crises could sooner rather

than later lead to a forceful action. They should have understood better the repeatedly and unanimously stated position of the Security Council that hindering the disarmament work is not acceptable.

We have reached the point where it is difficult to predict how the Council could best deal with Iraq in future. At this moment, we wish to emphasize that we share the Secretary-General's concern for human lives and for the fate of humanitarian relief efforts. It is necessary to explore all possible ways to continue to address the humanitarian needs of the Iraqi people. We wish to welcome the Secretary-General's readiness to play his part in this important task.

Mr. Monteiro (Portugal): Portugal always hopes that the Security Council will find peaceful solutions to situations of conflict, and it feels no differently in the case of Iraq.

We have always been of the view that full cooperation by Iraq with the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) is essential to fulfil the disarmament tasks, to ensure compliance with the relevant resolutions of the Security Council and thus enable the Council to lift the sanctions imposed on Iraq. The confirmation by UNSCOM of full cooperation by Iraq, as promised in its letters of 14 November, would have enabled the Council to proceed speedily with a comprehensive review of all disarmament files, as proposed by the Secretary-General. But, after so many efforts and attempts by the Council to bring Iraq to the path of cooperation, the latest report of the Executive Chairman of UNSCOM states that Iraq has not lived up to its commitments and that, in fact, it has not cooperated fully with UNSCOM.

We appreciate the efforts of the Secretary-General to offer for the Council's consideration several possible options to react to the UNSCOM report. Portugal was ready to consider those options, and said so this morning. In the meantime, however, we have been informed of the decision to withdraw all UNSCOM and IAEA personnel from Iraq for reasons of safety. The Executive Chairman of UNSCOM provided further elements on the degree of non-cooperation by Iraq today to Council members.

The Security Council is thus confronted with a declaration by Ambassador Butler that Iraq has not cooperated fully. The United States and the United Kingdom had made it perfectly clear last month that, in the absence of full cooperation by Iraq, they would act without returning to the Council. It is not, therefore, a surprise to my delegation that a decision has been taken to act militarily. Naturally, the Council will have to evaluate the consequences of military action with regard to fulfilling the goals of disarming Iraq and maintaining peace and security in the region.

Portugal deeply regrets that a peaceful solution could not be found. But the main cause of the current crisis is the obstinate policy of Iraq's rulers in refusing to comply with Security Council resolutions. As Chairman of the Committee established under Security Council resolution 661 (1990), I have been particularly sensitive to the consequences of this crisis on the Iraqi people and have sought to do everything possible in the context of the humanitarian programme to alleviate their suffering.

Portugal will continue to try to contribute actively to find ways to minimize the effects of the current circumstances on top of the already difficult living conditions of the Iraqi people. But we must also remember that the primary responsibility for the well-being of all Iraqis falls to the authorities of that country.

Mr. Burleigh (United States of America): Coalition forces today began operations against military targets in Iraq. Our ongoing military action is substantial. We are focusing on Iraq's weapons of mass destruction programmes and its ability to threaten its neighbours.

Coalition forces are acting under the authority provided by the resolutions of the Security Council. This action is a necessary and proportionate response to the continued refusal of the Iraqi Government to comply with the resolutions of the Security Council and the threat to international peace and security which Iraq's non-compliance represents. In carrying out this action our forces have taken appropriate measures to defend themselves from any interference by Iraq and have made every possible effort to avoid civilian casualties and collateral damage.

As the Council is well aware, this resort to military force was undertaken only when it became evident that diplomacy had been exhausted. The coalition acted out of necessity, and the Government of Iraq bears full responsibility for the consequences of this military operation. We did not act precipitately. On the contrary, the United States has worked with its partners in the Security Council over the past months in a sincere and sustained effort to bring about a peaceful resolution of the

confrontation created by Iraq. For reasons best known to Saddam Hussein, Iraq chose to reject that effort.

Following the liberation of Kuwait from Iraqi occupation in 1991, Security Council resolution 687 (1991) mandated a ceasefire; but it also imposed a number of essential conditions on Iraq, including the destruction of Iraqi weapons of mass destruction and acceptance by Iraq of United Nations inspections.

In its resolutions — including, in addition to resolution 687 (1991), resolutions 707 (1991), 715 (1991), 1154 (1998), 1194 (1998), 1205 (1998) and others — the Council has elaborated and reiterated those conditions, including "full, final and complete disclosure" *(resolution 707 (1991))* of all aspects of its programmes to develop weapons of mass destruction, and "immediate, unconditional and unrestricted access" *(ibid.)* for the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) "to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect" *(ibid.)*. Iraqi compliance with all these requirements is a fundamental element of international peace and security in the region.

Nevertheless, Iraq has repeatedly taken actions which constitute flagrant, material breaches of these provisions. On a number of occasions the Council has affirmed that similar Iraqi actions constituted such breaches, as well as a threat to international peace and security.

Just one month ago, on 14 November, the Government of Iraq committed to provide full and unconditional cooperation with UNSCOM, as required by the resolutions. The Iraqi Government described it as a "clear and unconditional decision by the Iraqi Government to resume cooperation with UNSCOM and IAEA". Iraq stated that the weapons inspectors could "immediately resume all their activities according to the relevant resolutions of the Security Council". It must be noted that Iraq rescinded its restrictions on the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) and offered those assurances only in the face of a credible threat of force. Military force was not employed at that time, however, because the United States, along with other members of the Security Council, sought a peaceful resolution to the situation created by Iraq and opted to go the extra mile to test Iraqi intentions.

In that event, Iraq failed to fulfil its assurances. As the 15 December UNSCOM report makes clear, Iraq failed to provide the full cooperation it promised on 14 November and thus left UNSCOM unable to conduct the substantive disarmament work mandated to it by the Council.

By refusing to make available documents and information requested by UNSCOM within the scope of its mandate, by imposing new restrictions on the weapons inspectors and by repeatedly denying access to facilities which UNSCOM wished to inspect, Iraq once again acted in flagrant and material breach of resolution 687 (1991).

I should like to pause here to praise the outstanding professional work of the talented and dedicated staff of the Special Commission and its Executive Chairman, Richard Butler. Their efforts from 1991 until today have reflected the seriousness with which they view their mandate. Subjected repeatedly to a pattern of harassment from a legion of Iraqi officials, they have always sought to perform their duties in an accurate and serious manner, and they have succeeded.

Iraq fully understood that its actions would be reported accurately to the Security Council by the Special Commission. Indeed, the Iraqi Government did not even wait for the Special Commission's report before presenting its own skewed interpretation of events to the Security Council yesterday, because the Iraqi leadership understood that the report of the Special Commission would be factual.

Following Iraq's repeated, flagrant and material breaches of its obligations under resolutions 687 (1991), 707 (1991), 715 (1991), 1154 (1998), 1194 (1998), 1205 (1998) and others, in addition to its failure to fulfil its own commitments, the coalition today exercised the authority given by Security Council resolution 678 (1990) for Member States to employ all necessary means to secure Iraqi compliance with the Council's resolutions and restore international peace and security in the area. Any Iraqi attempt to attack coalition forces or to initiate aggressive action against a neighbouring State will be met with a swift response by the coalition.

As President Clinton stated this evening, if we had delayed for even a matter of days from Chairman Butler's report, we would have given Saddam Hussein more time to disperse his forces and protect his weapons. Also, the Muslim holy month of Ramadan begins this weekend. For us to initiate military action during Ramadan would be profoundly offensive to the Muslim world and therefore damage our relations with Arab countries and the progress we have made in the Middle East peace process.

President Clinton also stressed that the decision to use force is never cost-free. Whenever American forces are placed in harm's way, we risk the loss of life. And while our strikes are focused on Iraq's military capabilities, there will be unintended Iraqi casualties. Indeed, in the past, Saddam Hussein has intentionally placed Iraqi civilians in harm's way in a cynical bid to sway international opinion.

Secretary Albright emphasized this evening that our quarrel is not with the Iraqi people. On the contrary, we recognize that Iraqis have been the primary victims of Saddam Hussein's failure to cooperate internationally and of his reign of terror domestically. The United States took the lead in establishing a United Nations programme to meet the humanitarian needs of Iraqi civilians and supported the expansion of that programme earlier this year. Secretary Albright stressed that in carrying out military action we will do all we can to minimize civilian casualties, and we will support Iraqis who are working for the day when the people of their country will be free to choose their own leaders and shape their own destiny.

Iraq's policy of unremitting defiance and non-compliance necessitated the resort to military force. The United States did not seek a confrontation and did not undertake this decision lightly. The coalition now looks to the highest level of the Iraqi leadership for an immediate demonstration of unconditional compliance with the terms of the Security Council resolutions.

Mr. Dahlgren (Sweden): It is not difficult to say who is to blame for the crisis between Iraq and the United Nations, a crisis which has been such a large part of the entire workload of the Security Council during the two years that we have sat at this table.

It is the Government of Iraq that again and again has refused to abide by the clear obligations which a unanimous Security Council has decided upon. It is also clear that Iraq has not fulfilled the promise it made to the Secretary-General only a month ago: to cooperate fully and without conditions with the United Nations weapons inspectors.

This has provided a difficult challenge for the Security Council, because the question of Iraqi compliance is indeed a matter for this Council to deal with. We around this table are responsible for ensuring the implementation of the Council's resolutions. We are the ones who should decide the course of action. And I can state tonight, as I have before, that when Iraq seriously violates its obligations, and when all diplomatic means have been exhausted, my Government would even be ready to support a decision in the Council on military action, as a last resort. But that would be a decision for the Security Council.

Now, without such a decision, military action was taken against Iraq a few hours ago. These air strikes were carried out just as the members of the Council were meeting in informal consultations, discussing the latest report from the United Nations Special Commission (UNSCOM) on Iraq's cooperation and also the Secretary-General's letter, which he had sent to us late last night.

The Secretary-General said earlier tonight that this was a sad day for the United Nations and for the world. My Government regrets these air attacks and the consequences they may have for civilians in Iraq. We also regret the fact that the Security Council has been presented with a fait accompli — that we did not even get a chance to conclude our evaluation of the latest developments before military action was a fact. We fear that this will not be of much help in getting the inspections going again, because the Council's overriding aim must remain to rid Iraq of its programmes for developing these awful weapons of mass destruction.

Mr. Amorim (Brazil): The Security Council is meeting this evening under the impact of a serious turn of events in the Gulf. Ever since the adoption of resolution 687 (1991) in April 1991, the Council has been grappling with the difficult task of ensuring the Iraqi regime's cooperation with the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) in the implementation of their mandates. Although Iraqi cooperation has all along been far from satisfactory, UNSCOM and IAEA have performed very valuable work in dispossessing Iraq of its weapons of mass destruction, as widely recognized. It is regrettable that just as the Council was preparing to undertake a comprehensive review of the sanctions regime imposed on Iraq, as suggested by the Secretary-General, the international community was confronted with yet another impasse. Had Iraq demonstrated full cooperation and complied with its obligations under Security Council resolutions and the Memorandum of Understanding, we would not be experiencing the present crisis.

We were informed this afternoon that military action had been decided upon at the very moment when the Security Council was gathered to discuss the report presented by the Executive Chairman of UNSCOM. We had expected to participate in a discussion of the three

options suggested by the Secretary-General in his letter. As it turned out, the Security Council did not have the opportunity to reach its own conclusions.

We deplore the fact that circumstances have led to the use of force. Brazil has always favoured dialogue, diplomacy and multilateralism in the articulation of responses to threats to international peace and security. The use of military force should be considered only as an option of last resort. When the use of force is indeed contemplated, this should take place within a multilateral framework. The Security Council remains the sole body with legal authority to mandate actions aimed at enforcing compliance with its own resolutions.

Mr. Konishi (Japan): In line with our Prime Minister's comment which was issued today, I would like the make the following statement.

The letter dated 14 November from the Deputy Prime Minister of Iraq to the Secretary-General raised hopes that Iraq would resume full cooperation with the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA). The Security Council was looking forward to a comprehensive review of Iraq's compliance with its obligations under all relevant resolutions, which was to be conducted after confirming the resumption of full cooperation by Iraq with UNSCOM and the IAEA. Once full cooperation is resumed, all the obligations under the relevant Security Council resolutions can be fulfilled, and the prospect of lifting the sanctions can be made clearer. Japan has long awaited this in order to restore its traditional friendship with the people of Iraq.

However, from the letter of the Executive Chairman of the Special Commission dated 15 December, one has to conclude, regrettably, that Iraq's resumption of cooperation with UNSCOM is not sufficient and that Iraq's behaviour constitutes a serious violation of the relevant Security Council resolutions, including resolution 687 (1991), which stipulated the conditions for the ceasefire in 1991, as well as the Memorandum of Understanding signed in February this year by the Secretary-General and the Deputy Prime Minister of Iraq.

Up to now the Security Council and many Member States have worked strenuously to persuade the Government of Iraq to cooperate fully and unconditionally with UNSCOM and the IAEA and have made their utmost diplomatic efforts to ensure Iraq's full compliance with the relevant Security Council resolutions. Japan, for its part, made numerous démarches to the Government of Iraq and has made various efforts, in cooperation with other States concerned, in the Security Council and elsewhere in order to correct Iraq's behaviour. Regrettably, however, Iraq has failed to provide full cooperation to UNSCOM, leading to the consequences we face today.

In view of the course of events as stated above, Japan supports the action taken by the United States and the United Kingdom.

Japan strongly urges the Government of Iraq to comply immediately and unconditionally with all its obligations under the relevant Security Council resolutions. By doing so, Iraq will be able to normalize its relationship with the international community, and international peace and security will be attained at the earliest possible date. Japan sincerely hopes that this will be realized as soon as possible. At the same time, Japan earnestly hopes that the plight of the Iraqi people will be alleviated as soon as possible.

Mr. Jagne (Gambia): It is a pity that things have to be this way. There is, however, no need to cry over spilt milk. The die is cast. This morning, when we looked at the options offered by the Secretary-General following the latest report of the United Nations Special Commission (UNSCOM), we thought that they constituted a possible way out of the quandary in which we find ourselves — not knowing that it was too late already. It is unfortunate indeed, and very much so, that force had to be used to deal with the situation.

Where do we go from here? Perhaps when the dust has settled, we will be in a better position to see more clearly how best to proceed with normal business. This would depend, of course, on whether there is any business left to do. Whatever the outcome, we would like to see the unity of the Council restored. If it is not, the ability of the vital organ of the United Nations, which has the primary responsibility for the maintenance of international peace and security, will be seriously impaired.

Having said that, we still believe that Iraq should resume full cooperation with UNSCOM and the International Atomic Energy Agency as required under the relevant Security Council resolutions. In this way, the Council can proceed as planned with the comprehensive review. However, we maintain that any comprehensive review must take into account the question of Kuwaiti prisoners of war, archives and other properties removed illegally from Kuwait during the invasion. We are of the

firm view that the interests of small States must be protected. This is why we insist so much on this point.

We are also mindful of the plight of the innocent people of Iraq. As far as this issue is concerned, we believe that there is unanimity in the Council to do everything possible to alleviate their suffering.

The people in the region also need peace. They have had so many sleepless nights. The time has now come for them to have some respite.

Mr. Mahugu (Kenya): My delegation is greatly concerned about the current turn of events. It is extremely worrying that while the Council was for the first time discussing the reports submitted to us today by the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) — and it had not concluded its consideration of those reports — a decision to strike Iraq based on the same reports had been taken, and, in fact, the strike seems to have already been under way.

As we have repeatedly said in this Council, any decision to take further action against Iraq remains the sole responsibility of the Security Council. We have maintained that position and ensured that it was reflected in our resolutions. In our statement on 5 November this year, during consideration of resolution 1205 (1998), my delegation stated,

> "that the present draft resolution contains nothing that could open the door in any eventuality for any kind of action without the clear and precise authority of the Security Council. In that respect, we are happy to note that the Security Council, in operative paragraph 6 of the draft resolution,
>
> > '*Decides*, in accordance with its primary responsibility under the Charter for the maintenance of international peace and security, to remain actively seized of the matter.'
>
> "It is, *inter alia*, on the basis of that understanding that my delegation will vote in favour of the draft resolution." *(S/PV.3939, p. 7)*

We regret that the understanding agreed upon then by this Council, and on the basis of which we and many others, on several occasions, joined in a consensus, was not taken into account when the decision to strike Iraq was taken today.

We find it even more difficult to understand the reasons for today's attack, given the contents of the two reports and the letter submitted to the Council today. As the Secretary-General observed in his letter submitting the IAEA and UNSCOM reports,

> "The report from IAEA states that Iraq 'has provided the necessary level of cooperation to enable the above-enumerated activities to be completed efficiently and effectively'. *(S/1998/1172)*

With respect to UNSCOM, the Secretary-General said,

> "The report from UNSCOM includes material that relates to issues prior to 17 November 1998. With regard to the period since then, the report presents a mixed picture and concludes that UNSCOM did not enjoy full cooperation from Iraq." *(ibid.)*

In our reading of the report, this does not in any way indicate that UNSCOM suffered a total lack of cooperation, but, on the contrary, indicates that there was a considerable degree of cooperation extended to it. Given these two positions, of IAEA and UNSCOM, the Secretary-General in his wisdom offered three possible options which, in our view, would have moved the process of disarming Iraq forward.

Any decision taken to force compliance by Iraq with resolutions without the Council's prior authority, in our view, is contrary to the spirit and purpose of those very resolutions, because it also deprived the Council of an opportunity to analyse the reports submitted today and to take a collective decision on them.

It is for these reasons, in line with our declared policy on the non-use of force to resolve international disputes, that we regret today's air strikes against Iraq and call for their immediate cessation and a de-escalation of tension, if the Council is to remain seized of this matter and to continue fulfilling its mandate under the United Nations Charter.

Mr. Dejammet (France) (*interpretation from French*): I would like to read a communiqué issued this evening by the French authorities, which is as follows:

> "France deplores the chain of events that led to the American military strikes against Iraq and the

serious human consequences that they may have for the Iraqi population.

"It regrets that the Iraqi leaders were not able to demonstrate the spirit of full cooperation called for by the implementation of the Memorandum of Understanding of 23 February 1998 between the Secretary-General of the United Nations and Mr. Tariq Aziz, which would have made possible the comprehensive review of Iraqi disarmament provided for in Security Council resolution 1194 (1998)."

I would like to thank the Secretary-General for the statement that he issued this evening when faced with the facts while the Security Council was holding consultations. We have always supported the Secretary-General's tireless and persistent actions to ensure that the law prevails, despite the obstacles and pitfalls encountered.

The Secretary-General reminds us once again today, a sad day for the United Nations, that the Organization's duty will be to play its role.

Mr. Essonghé (Gabon) (*interpretation from French*): In my turn, I would like to express my delegation's regret over the turn that events have taken since this morning, despite the numerous diplomatic efforts that have been made at all levels.

The lengthy crisis that has prevailed between a Member of the United Nations and the Security Council could have been avoided in the light of the initiatives undertaken in February and November this year by the Secretary-General, who is present here, and by the entire membership of the Security Council. Those efforts gave us a glimpse of a possible peaceful resolution of the misunderstandings and lack of understanding on both sides.

Unfortunately, we must conclude that the new state of mind and the hope that emerged on numerous occasions have now been dashed by the events we have learned about today. Nevertheless, we would like to congratulate the Secretary-General on his readiness to contribute to a new effort to produce a peaceful resolution of the question.

The President (*interpretation from Arabic*): The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 11.25 p.m.